



## Overview and Scrutiny Business Panel

### Scrutiny – Executive Protocol

**Date:** 8 February 2022

**Key decision:** No

**Class:** Part 1

**Ward(s) affected:** All

**Contributors:** Assistant Chief Executive (Overview and Scrutiny Manager)

### Outline and recommendations

The purpose of this item is for Members to note the agreed Scrutiny-Executive protocol.

#### 1. Summary

- 1.1. The intention of this item is to provide Members with information on the Scrutiny-Executive Protocol.

#### 2. Recommendation

- 2.1. Members are asked to agree the attached protocol.

#### 3. The Protocol

- 3.1 Statutory scrutiny guidance published in May 2019, which local authorities and combined authorities must have regard to when exercising their functions, recommends developing a scrutiny - executive protocol. Whilst “having regard to” the guidance does not mean that the guidance has to be followed in every detail, it does mean that it should be followed unless there is a good reason not to in a particular case.
- 3.2 Business Panel received a report on the development of the protocol in June 2021. The protocol has now been finalised and is attached at Appendix A.
- 3.3 The protocol helps ensure that:
- there is a framework in place to ensure that debate happens in a constructive way
  - the outcomes of scrutiny positively benefit the residents of Lewisham

- scrutiny is effective
- there is an ethos of mutual respect between the executive and scrutiny
- all work undertaken by members is aligned in supporting the corporate strategy and improving outcomes.

3.4 The protocol covers:

- How scrutiny operates at Lewisham
- The aims of the protocol
- Scrutiny's work programme
- Channels of communication
- Attendance at formal meetings
- Ethos/Behaviour
- Scrutiny referrals and recommendations (and Mayoral responses)
- Upholding the protocol

3.5 The guidance suggests that councils should consider how to adopt a protocol. It is proposed that the protocol is formally integrated into Lewisham's constitution via full council on 2 March 2022.

#### **4 Financial implications**

4.1 Scrutiny and the Executive communicating and working effectively together could have a positive financial impact, minimising delays in decision making and coordinating the effective and timely delivery of policies and priorities.

#### **5 Legal implications**

5.1 There are no direct legal implications arising from this report.

#### **6 Equalities implications**

6.1 The delivery of the Council's equalities objectives is to be achieved through the delivery of all of the Council's strategies, plans and procedures. As such, all select committees and other scrutiny bodies, when planning their work and scrutinising items, bear in mind the delivery of the Council's equality objectives.

6.2 Scrutiny tries to make sure that its work reflects the diversity of Lewisham's communities and that the views of residents are fairly represented in scrutiny processes. Any recommendations arising from scrutiny work support the Council's corporate strategy and reflect the needs of local residents.

#### **7 Climate change and environmental implications**

7.1 There are no direct climate change or environmental implications arising from this report. However the effective working of Select Committees such as the Sustainable Development Select Committee contributes to delivery of the Council's priorities and responsibilities in these areas.

#### **8 Crime and disorder implications**

8.1 There are no direct crime and disorder implications arising from this report. However the effective working of Select Committees such as the Safer, Stronger Communities Select Committee contributes to delivery of the Council's priorities and responsibilities in these areas.

#### **9 Health and wellbeing implications**

9.1 There are no direct health and wellbeing implications arising from this report. However the effective working of Select Committees such as the Healthier Communities Select

Committee contributes to delivery of the Council's priorities and responsibilities in these areas.

## 10 Glossary

Term	Definition
Overview & Scrutiny	Overview and scrutiny is the way in which Mayor and Cabinet (the 'Executive'), officers and external organisations are held to account for the decisions that they make. It is led by councillors who are not members of the Executive. They also influence policy development and investigate issues of local concern, making recommendations for improvement.
Overview and Scrutiny Committee	A committee made up of all non-executive councillors which carries out scrutiny focussing on strategic and cross cutting issues.
Overview & Scrutiny Business Panel (OSBP) and Education OSBP	<p>Lewisham has two Business Panels (sub-committees of the Overview and Scrutiny Committee).</p> <p>OS Business Panel is made up of the chair and vice-chair of the Overview and Scrutiny Committee, the chair of each of the Select Committees, and two other non-Executive councillors.</p> <p>The main functions of Business Panel are reviewing key decisions once they have been taken (potentially "calling in" key decisions that have been made but not yet implemented); coordinating and approving the overall scrutiny work programme; and allocating scrutiny work in the event that it crosses the remit of more than one scrutiny body.</p> <p>Three parent governors and two diocesan representatives sit on the Education Business Panel, alongside the councillors that make up the regular Business Panel. The Education Business Panel reviews (and can call-in) key decisions that are education matters.</p>
Select Committee	Lewisham has six Select Committees (sub-committees of the Overview and Scrutiny Committee), each made up of non-Executive councillors and responsible for scrutinising a specific service area. Select Committees gather evidence to help them review policies and performance and make recommendations to improve outcomes for residents.
Select Committee Work Programmes	The annual programme of work setting out the matters which each select committee will scrutinise over the year.
Task and Finish Group (TFG)	A time limited scrutiny body which gathers evidence in relation to a topical issue of concern in order to make recommendations to improve outcomes for residents.

Scrutiny-Executive Protocol	A document that helps ensure that there is a framework in place to ensure that debate interaction between scrutiny and the executive happens in a constructive way and there is an ethos of mutual respect between the executive and scrutiny; that the outcomes of scrutiny positively benefit residents; that scrutiny is effective; and that all work undertaken by members is aligned in supporting the corporate strategy and improving outcomes.
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